

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARTY EDWARD PLENTY
HAWK,

Defendant.

CR 24-14-BLG-SPW

ORDER

Defendant has filed an Unopposed Motion for Examination Pursuant to 18 U.S.C. § 4241 and 4242 (Doc. 24).

After reviewing the motion, the Court finds reasonable cause to believe the Defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense, 18 U.S.C. § 4241(a).

Accordingly, IT IS ORDERED:

1. The Motion for Examination (Doc. 24) to determine mental competency is **GRANTED**. Marty Edward Plenty Hawk shall undergo an evaluation to determine his competency to proceed in this matter in accordance with

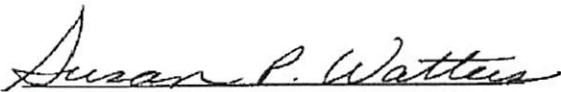
18 U.S.C. § 4247(b)-(c) at a federal facility designated by the Bureau of Prisons.

2. The United States Marshals Service shall request that the Bureau of Prisons designate a federal facility where Defendant shall be evaluated. The United States Marshals Service shall notify the Court when it receives notice of the facility that has been designated.
3. All time from the date of this Order until the date of the Court's determination as to Defendant's competency is excludable under the Speedy Trial Act. 18 U.S.C. § 3161(h)(1)(A).

IT IS FURTHER ORDERED that Trial in this matter presently set for Monday, June 24, 2024 at 9:00 a.m. is **VACATED** until further Order of the Court.

The Clerk of Court shall immediately notify the parties and the United States Marshals Service of the entry of this Order.

DATED this 23rd day of May, 2024.


SUSAN P. WATTERS
United States District Judge